

**Forest Land-Raigad.
Diversion of 8.9440 ha. out of 9.04 ha.
Protected Forest land under section-2 of
the Van (Samvardhan Evam Sanrakshan)
Adhiniyam, 1980 for Establishment of
Medicinal Tree Plantation and
establishment of cultivation facility project
at Village- Donvat, Taluka- Khalapur,
District- Raigad.**

**Government of Maharashtra
Revenue and Forest Department
Government Order No.: FLD-2022/C.R.144/F-10
Mantralaya, Mumbai-400 032.
Date: 04.07.2024.**

Ref.:

- 1) Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, Letter No Desk-17/ Nodal /Thane/ I.D-13623 (77)/459/2022-23 dt. 30.05.2022.
- 2) Government of Maharashtra, Government letter No. FLD-2022/C.R.144/F-10, dt. 05.07.2022.
- 3) Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-184-2022-NGP/11465, dt. 19.04.2023.
- 4) Ministry of Environment, Forests & Climate Change, Government of India, New Delhi Letter No. 42468/2023, dt. 08.05.2023.
- 5) Government of Maharashtra, Government letter No. FLD-2022/C.R.144/F-10, dt. 15.05.2023.
- 6) Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-184/2022-NGP/11906, dt. 21.07.2023.
- 7) Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, Letter No Desk-17/ FCA-S2/ P.I.D-154141 /Thane/ 1602/ 2023-24 dt. 25.08.2023.
- 8) Government of Maharashtra, Government letter No. FLD-2020/C.R.144/F-10, dt. 30.08.2023.
- 9) Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur Letter No. FC-II/MH-184/2022-NGP/12223, dt. 22.09.2023.
- 10) Additional Principal Chief Conservator of Forests & Nodal Officer, Letter No. Desk-17/Nodal/FCA/S2/P.I.D-154141/Thane/2023-24/2375, dt.08.11.2023.
Letter No.Desk-17 / Nodal /Thane/PID-154141/465/2024-25, dt.27.05.2024.
- 11) Collector, Raigad Amended Certificate No. RB / LND / VANHAKKA / 20008 / 02 / 2024, Dated-05.03.2024

Order :

Whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur, vide his letter under reference No.1 has submitted a proposal to the State Government, which was received from Tata Memorial Centre, Mumbai for diversion 9.04 ha. Forest land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Medicinal tree Plantation and establishment of Cultivation facility Project at Village Donvat, Tal. Khalapur, Dist. Raigad in the State of Maharashtra.

AND whereas, Government of Maharashtra vide letter under reference No.2 has submitted the proposal to the Integrated Regional Office, MoEFCC, Government of India, Nagpur under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;

AND whereas, the Integrated Regional Office, MoEF&CC, Government of India, Nagpur, vide letter under reference no. 3, has conveyed that the proposal for diversion of 9.04 ha. Forest land for Medicinal tree Plantation and establishment of Cultivation facility Project at Village Donvat, Tal. Khalapur, Dist. Raigad was forwarded to the MoEF&CC, New Delhi for approval after the recommendation of the REC and the proposal has not been accepted by MoEF&CC, New Delhi citing the proposal as "non-site specific" and justifications for locating it on forest land or alternatives explored/reasons of not accepting alternative lands are not satisfactory.

AND whereas, the MoEF&CC, New Delhi vide letter under reference no.4 has conveyed to resubmit the proposal in light of the new facts brought in by the user agency to the Ministry.

AND whereas, the State Government vide letters under reference No.5 has resubmitted this proposal to the Government of India;

AND whereas, the the Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur after due consideration, vide letter under reference No.6, accorded 'In-principle' approval to divert the 9.04 ha. Forest Land for the above project under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said approval is subject to fulfilment of certain conditions by the User Agency;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letters under reference No.7 has submitted compliance of those conditions to the State Government;

AND whereas, the State Government vide letters under reference No.8 has submitted compliance of those conditions to the Government of India;

AND whereas, the Integrated Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur, vide under reference no. 9 accorded 'Final approval' to divert the of 9.04 ha. of forest land in favour of Tata Memorial Centre, Mumbai for Establishment of Medicinal Tree Plantation and establishment of cultivation facility project at Village- Donvat, Taluka- Khalapur, District- Raigad in the State of Maharashtra under section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;

AND whereas, the Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur vide letters under reference No.10 has requested State Government to issue diversion order in the matter;

AND whereas, the Collector Raigad has issued revised certificate under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for 8.9440 ha. forest land mention in Schedule given below;

NOW, therefore, Government of Maharashtra hereby directs that out of proposed 9.0400 ha. forest land only 8.9440 ha (0.0960 ha. area excluded for the road) area consisting of Protected Forest Land more specifically described in the proposal submitted vide letter under reference No. 1, be diverted to the User Agency, i.e. Tata Memorial Centre, Mumbai for Establishment of Medicinal Tree Plantation and establishment of cultivation facility project at Village- Donvat, Taluka- Khalapur, District- Raigad in the State of Maharashtra.

The diversion shall be effected subject to the terms and conditions mentioned in the letters dated 21.07.2023 and dated 22.09.2023 of Integrated Regional Office, MoEF&CC, Nagpur. This approval for diversion of forest land is also subject to compliance of following conditions by the User Agency-

1. As per the revised FRA certificate of the Collector, Raigad, the extent of the area excluded for the road (0.0960 ha.) should be demarcated by the Deputy Conservator of Forests, Alibag with the help of the concerned Land Records Officer and the project authority. The map of the demarcated area should be submitted to the Government of Maharashtra in due course. User Agency should obtain a final certificate from the Collector, Raigad that no any claims of forest rights holders on the proposed area other than the 0.0960 ha. are pending and submit the same to the State Government in due course. Deputy Conservator of Forests, Alibag will hand over actual possession of land to the User Agency after fulfilment of above conditions.
2. The User Agency shall comply with all the conditions stipulated in the 'in-principle' and 'final approval' letters of Integrated Regional Office, MoEF&CC, Nagpur, referred above. The Chief Conservator of Forests (T), Thane shall ensure the strict compliance of the conditions by the User Agency and shall furnish the report in this regard to Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur from time to time.
3. For ensuring the compliances and for monitoring the duly prescribed activities and also to carry out other statutory duties, user agency shall facilitate unhindered access/entry in the area to the local forest Officer. In case the user agency prohibits the free access or create hindrances, the permission given under this Order for the diversion of forest area for the non-forest use shall be withdrawn.
4. Non-compliance of any of the conditions mentioned in Integrated Regional Office, MoEF&CC letters dated 21.07.2023 and dated 22.09.2023, in this order and Rules & Guidelines made / issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, shall amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken accordingly.
5. In case of non-compliance of any of the above conditions, the Chief Conservator of Forests (T), Thane shall report through the State Government to the Integrated Regional Officer (Central), Ministry of Environment, Forests & Climate Change, Government of India, Nagpur as per procedure laid down in guidelines under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

This Government Order is available on Government of Maharashtra's website www.maharashtra.gov.in with reference no. 202407041558095819 This order has been signed digitally.

By order and in the name of the Governor of Maharashtra,

(Ganesh Jadhao)
Under Secretary to the Government of Maharashtra

Copy to:

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur
3. Deputy Director General of Forests (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
4. Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur
5. Additional Principal Chief Conservator of Forests and Nodal Officer, M.S., Nagpur
6. APCCF& Chief Executive Officer (Maha-CAMPA), Maharashtra State, Nagpur
7. Additional Principal Chief Conservator of Forests (Conservation), M.S., Nagpur
8. Collector, Raigad.
9. Chief Executive Officer, Zilha Parishad, Raigad.
10. Chief Conservator of Forests (Territorial), Thane.
11. Deputy Conservator of Forests, Alibag.
12. Tata Memorial Centre, Mumbai.
13. Select File - Desk F-10.

- I. Collector- Raigad, Chief Executive Officer, Raigad and Deputy Conservator of Forests, Alibag are hereby directed to forward the copy of this order to concerned Heads of Local Bodies, Panchayats, Municipal Bodies in addition to the relevant offices of the Government and they shall also ensure the display of this order on their notice board as well as on the notice board of local self-government bodies for the information of general public.
- II. Tata Memorial Centre, Mumbai is hereby directed that they should publish the entire order of forest clearances granted in verbatim along with the details of Survey No., Gut No., area and legal status of each Survey, Gut No.etc. along with the conditions and safe guards imposed by the State Government while granting forest clearances in two widely circulated daily newspapers, one in vernacular language and other in English language. Copy of the Newspapers be submitted to Chief Conservator of Forests (Territorial), Thane & Deputy Conservator of Forests, Alibag.
- III. Heads of Local Bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government are hereby directed to display the same on their notice board for 30 days from the date of receipt for the information of general public.